

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.3)
Eastern Division**

Anthony Dale, et al.

Plaintiff,

v.

Case No.: 1:22–cv–03189

Honorable Thomas M. Durkin

T-Mobile US, Inc., et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, February 26, 2025:

MINUTE entry before the Honorable Jeffrey Cole: On the evening of February 14, 2025, the plaintiff filed a motion to compel subpoena compliance from third party DISH Network, and a briefing schedule the following Monday morning. DISH Network's response was to be due on March 3rd and plaintiff's reply was to be due on March 10th. [Dkt. #[235]]. A little over a week after that schedule was set and just three business days before DISH Network's response was due, defendant T-Mobile, explaining that it has some interest in obtaining discovery from DISH Network as well and wishes to provide the proverbial "more fulsome" record, has filed a motion for leave to file responses to the plaintiff's motion, and then to DISH Network's response. Blessedly, T-Mobile does not seem to want to file a response to the plaintiff's reply. T-Mobile's motion [Dkt. #[240]] is reluctantly granted. Obviously, T-Mobile's three-way crossfire idea is going to complicate matters and delay resolution of what began as the typical "I want this—I don't want to give it to you" discovery dispute that is the essence of litigation. Moreover, T-Mobile fails to suggest a timeline for its response to the plaintiff's motion or for its response to DISH Network's response. Nor does T-Mobile give any thought to whether DISH Network and perhaps the plaintiff might want to respond to its responses. Instead, it says it "welcomes the opportunity to discuss" a better coordinated presentation with the court. That's a little late, but it sounds good. As such, I am going to deny the plaintiff's motion to compel [Dkt. #[234]] without prejudice to refile, whether as originally filed or in whatever augmented form becomes necessary once plaintiff, T-Mobile, and DISH Network have met and conferred to come up with a far less messy format for briefing this matter than what T-Mobile has proposed. The briefing schedule set in the Order dated 2/18/25 [Dkt. [235]] is stricken. A hearing is already set for March 18th [Dkt.# [235]] so all three can report what they have come up with then, and we can all try this again. Emailed notice (yt)

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